

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DAVIDSON HENAO, <i>et al.</i> ,	:	
Plaintiff	:	
	:	19 Civ. 10720 (LGS)
-against-	:	
	:	<u>ORDER</u>
PARTS AUTHORITY, LLC, <i>et al.</i> ,	:	
Defendants.	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on December 21, 2020, Defendants Arizona Logistics, Inc., BBB Logistics, Inc. and Larry Browne filed a motion to dismiss for failure to state a claim, insufficient service of process and lack of personal jurisdiction (Dkt. Nos. 132 & 133). Plaintiffs filed an opposition to the motion to dismiss on February 15, 2021 (Dkt. No. 145). The moving Defendants filed a reply on February 22, 2021 (Dkt. No. 148);

WHEREAS, “[i]n deciding a pretrial motion to dismiss for lack of personal jurisdiction a district court has considerable procedural leeway. It may determine the motion on the basis of affidavits alone; or it may permit discovery in aid of the motion; or it may conduct an evidentiary hearing on the merits of the motion.” *Marine Midland Bank, N.A. v. Miller*, 664 F.2d 899, 904 (2d Cir. 1981);

WHEREAS, discovery is currently stayed as to Defendants BBB Logistics Inc., Arizona Logistics, Inc. and Larry Browne (Dkt. No. 131);

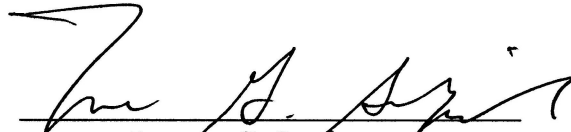
WHEREAS, Plaintiffs state “evidence of how [Defendants] operate[] as a unified entity remains in the exclusive possession and control of Defendants. As such, Plaintiffs should, at a minimum, be allowed to complete discovery on this issue.” It is hereby

**ORDERED** that Plaintiffs’ request for limited jurisdictional discovery as to Defendants BBB Logistics, Inc., Arizona Logistics, Inc., and Larry Browne is GRANTED. It is further

**ORDERED** that by **April 12, 2021**, the Parties shall submit a proposed order and plan for completing limited jurisdictional discovery by May 14, 2021. It is further

**ORDERED** that Plaintiffs shall file a supplement to their opposition to Defendants' motion to dismiss, not to exceed ten (10) pages, by **May 21, 2021**, and Defendants shall file a reply, not to exceed ten (10) pages, by **May 28, 2021**.

Dated: April 6, 2021  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**